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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,083	07/11/2006	Bruce Murray	GB040019	5823
65913	7590	11/20/2009	EXAMINER	
NXP, B.V.			SU, SARAH	
NXP INTELLECTUAL PROPERTY & LICENSING				
M/S41-SJ			ART UNIT	PAPER NUMBER
1109 MCKAY DRIVE			2431	
SAN JOSE, CA 95131				
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			11/20/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,083	<b>Applicant(s)</b> MURRAY, BRUCE	
	<b>Examiner</b> Sarah Su	<b>Art Unit</b> 2431	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) 1-13, 16, 18 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Preliminary Amendment, received on 11 July 2006, has been entered into record. In this amendment, claims 4, 6-8, and 14-16 have been amended.
2. Claims 1-24 are presented for examination.

### ***Priority***

3. The claim for priority from PCT/IB2005/050125 filed on 11 January 2005 is duly noted.
4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

5. Claims 1-13, 16, 18, and 20 are objected to because of the following informalities:
  - a. In claims 1 and 9, line 3: "the interaction" should read –an interaction–;
  - b. In claims 2-8, line 1: "A method" is unclear if it relates to "A method" (claim 1, line 1) and should read –The method–;
  - c. In claims 10-13 and 16, line 1: "A system" is unclear if it relates to "Security data restoration system" and should read –The security data restoration system–;
  - d. In claim 18, line 1: "A method" is unclear if it relates to "A method" (claim 17, line 1) and should read –The method–;

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- e. In claim 20, line 1: "A device" is unclear if it relates to "A back up device" (claim 19, line 1) and should read –The back up device–.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 21-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-5, 8-13, 16, 17, 19, and 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Orsini et al. (US 2004/0049687 A1 and Orsini hereinafter).

As to claims 1, 9, 17, 19, and 21-24, Orsini discloses a system and method for parsing secure data, the system and method having:

**storing the first portion of data on a storage medium remote from the device, writing the at least second portion of data to wireless storage means, and, when restoration is required, communicating the at least second portion of data from the wireless storage means to the said storage medium so as to allow for the interaction of the first and the at least second portion of data** (0025, lines 10-15; 0026, lines 2-5, 10-17; 0078, lines 5-11).

As to claims 2 and 10, Orsini discloses:

**wherein the security data comprises encryption data** (0018, lines 2-7).

As to claims 3 and 11, Orsini discloses:

**wherein the encryption data comprises cryptographic key data** (0018, lines 2-7).

As to claims 4 and 12, Orsini discloses:

**wherein the user device comprises a mobile device** (0065, lines 8-14).

As to claims 5 and 13, Orsini discloses:

**wherein the mobile device comprises a mobile radio communications device** (0065, lines 8-14).

As to claims 8 and 16, Orsini discloses:

**a plurality of said second portions of data are required for the restoration of the security data** (0018, lines 2-7).

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***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orsini as applied to claim 1 above, and in view of Redlich et al. (US 2003/0070077 A1 and Orsini hereinafter).

As to claims 6 and 14, Orsini fails to specifically disclose:

**wherein the said storage medium comprises a trusted authority for the secure storage of the said first portion of data.**

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Orsini, as taught by Redlich.

Redlich discloses a system and method for parsing and dispersing data, the system and method having:

**wherein the said storage medium comprises a trusted authority for the secure storage of the said first portion of data (0102, lines 9-10).**

Given the teaching of Redlich, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Orsini with the teachings of Redlich by storing data on a trusted authority. Redlich recites motivation by disclosing that a security program may be incorporated to automatically protect credit card data, personal data, etc. from being

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deliberately broadcast to others on the Internet or to block others from snooping (0102, lines 22-27). It is obvious that the teachings of Redlich would have improved the teachings of Orsini by storing data on a trusted authority in order to protect the data from deliberate broadcasts and snooping.

12. Claims 7, 15, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orsini as applied to claims 1, 17, and 19 above, and in view of Sever et al. (US 2009/0037594 A1 and Sever hereinafter).

As to claims 7, 15, 18, and 20, Orsini fails to specifically disclose:

**wherein the said wireless storage means comprises at least one near-field communications device.**

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Orsini, as taught by Sever.

Sever discloses a system and method for improving computer network security, the system and method having:

**wherein the said wireless storage means comprises at least one bluetooth communications device** (0024, lines 5-9, 11-15), but does not disclose where the communications device is a near-field communications device.

Given the teaching of Sever, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Orsini with the teachings of Sever by storing data on a wireless

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communications device using short range communication such as Bluetooth. Sever recites motivation by disclosing that communications may be made through any wire or wireless connections to allow connections to be made at various locations (0024, lines 9-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the Bluetooth connection with near-field communications to obtain the claimed invention since it was known in the art that Bluetooth and near-field communications are both short-range wireless connections.

***Prior Art Made of Record***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Gonzalez et al. (US 2007/0011724 A1) discloses a system and method for automated credentials loading.
- b. Keen et al. (US 2007/0210162 A1) discloses a system and method for data storage devices.
- c. Kotani et al. (US 2001/0008016 A1) discloses a system and method for information management.
- d. Romines et al. (US 2006/0218413 A1) discloses a system and method for physical device security for digitally encoded data.
- e. Yamauchi et al. (US 2003/0074569 A1) discloses a system and method for data backup.



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Su whose telephone number is (571) 270-3835. The examiner can normally be reached on Monday through Friday 7:30AM-5:00PM EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William R. Korzuch/  
Supervisory Patent Examiner, Art Unit 2431

/Sarah Su/  
Examiner, Art Unit 2431